

**FILED**

March 29, 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXASUNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
PECOS DIVISIONBY: Jennifer Licon  
DEPUTY

UNITED STATES OF AMERICA )

Plaintiff )

v. )

CRIMINAL NO. P-19-CR-774-DC

THOMAS ALAN ARTHUR )

Defendant )

**VANDERBILT MORTGAGE AND FINANCE, INC.'S PETITION  
TO ADJUDICATE THE VALIDITY OF ITS SECURED INTEREST  
IN PROPERTY**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Comes now VANDERBILT MORTGAGE AND FINANCE, INC. (hereinafter referred to as "VANDERBILT") and pursuant to 21 U.S.C. § 853(n), files this its Petition to Adjudicate the Validity of its Secured Interest in Property. In support thereof, VANDERBILT would respectfully show this Court as follows:

**I.****Brief Background Facts**

1. On or about November 20, 2007, Defendant THOMAS A. ARTHUR and his wife, SANDRA J. ARTHUR, purchased a manufactured home and executed a Manufactured Home Promissory Note, Security Agreement and Disclosure Statement in the original principal amount of \$205,214.04 with interest thereon at the rate of 8.25% per annum. *A copy of the Promissory Note is attached as Exhibit "A" and is incorporated herein by reference.*

2. On that same date, Defendant THOMAS A. ARTHUR and his wife, SANDRA J. ARTHUR, executed a Deed of Trust which secures real property and the manufactured home in Brewster County. *A copy of the Deed of Trust is attached as Exhibit "B" and is incorporated herein by reference.* The manufactured home has been attached to the real property. *A copy of the Statement of Ownership showing the perfection to real property is attached as Exhibit "C".*

3. VANDERBILT has a security interest in the following:

A CMH Manufacturing, Inc. Manufactured Home; Model: 372A; Serial No.

BRK000843TXABCAC and the following described real property:

Section 23, Block 217, T. & St. L. Ry Co. and more fully described by metes and bounds as set forth in Exhibit "D".

4. After allowing all payments, offsets and credits, the total payoff due and owing up through April 24, 2021 is \$132,607.60. The loan is currently in default as payments have not been received for the months of February, 2021 and March, 2021. *A complete payment history is attached as Exhibit "E" and is incorporated herein.*

5. VANDERBILT is requesting that its security interest in the property be adjudicated, and VANDERBILT requests that it be paid the amount due and owing at the time of forfeiture.

Respectfully submitted,

ORLANDO & ORLANDO, L.L.P.

/s/ Monica Schulz Orlando

MONICA SCHULZ ORLANDO

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ATTORNEYS FOR VANDERBILT  
MORTGAGE AND FINANCE, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of March, 2021, a true and correct copy of the attached **Vanderbilt Mortgage and Finance, Inc.'s Petition to Adjudicate the Validity of its Secured Interest in Property** was served on all counsel of record and other interested parties via electronic filing and email.

/s/ Monica Schulz Orlando

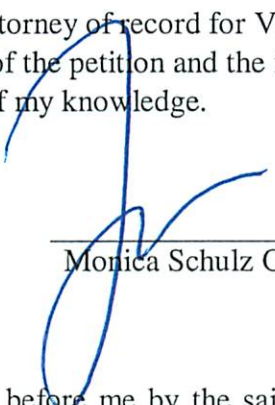
MONICA SCHULZ ORLANDO

VERIFICATION

STATE OF TEXAS )

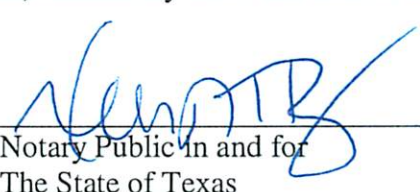
COUNTY OF HARRIS )

I, Monica Schulz Orlando, am the attorney of record for Vanderbilt Mortgage and Finance, Inc. I have read paragraphs 1 – 5 of the petition and the facts set forth in said paragraphs are true and correct to the best of my knowledge.

  
\_\_\_\_\_  
Monica Schulz Orlando

*27th* SWORN TO AND SUBSCRIBED before me by the said Monica Schulz Orlando on this  
\_\_\_\_ day of March, 2021, to certify which, witness my hand and seal of office.



  
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Notary Public in and for  
The State of Texas